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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,598	09/16/2003	Gerald Winton Lankford	1578.109 (11119-US-PAT)	3266
54120 7590 08/09/2007 RESEARCH IN MOTION, LTD 102 DECKER CT. SUITE 180 IRVING, TX 75062			EXAMINER KARIKARI, KWASI	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,598

Applicant(s)

LANKFORD, GERALD WINTON

Examiner

Kwasi Karikari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed on 06/08/2007, with respect to claims 1-7, 9-11 and 13-20 in the remarks, have been considered but are moot in view of the new ground(s) of rejection necessitated by the new limitations added to claims 1 and 13. See the rejection below of claims 1 and 13 for relevant citations found in Sanchez Ferreras and Aerrabotu disclosing the newly added limitations.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amended claimed limitations "the entries given less weight than other entries, without being deleted", in claims 1 and 13 are not clearly described in the specification as originally filed and this constitute new matter. The Applicant cited page 8, line 31 and page 12, lines 6 of the specification to support such amended claimed languages. However the cited lines reads;

[“Entries in the roaming network list are selectably deleted when the entry ages beyond a selected age. That is to say, when the time-stamp associated with an entry is aged beyond a selected age, **the entry is removed, or otherwise given less reliance** as to the present state of the roaming capabilities identified by the entry]” **and** [“When the information becomes dated, i.e., is stored at the roaming network list for greater than a selected time period, **the entry is deleted, or otherwise given lesser weight** than other entries],

and they are not the same as the amended claimed limitations in claims 1 and 13. For examination purposes, the Examiner would interpret the rejected claimed limitations in the broadest scope of the Applicant’s invention. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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Claims 1-7,9-11 and 13-20 are rejected under U.S.C. 103(a) as being anticipated by Sanchez Ferreras et al., (U.S. 20050118998 A1), (hereinafter Sanchez) in view of Aerrabotu et al., (U.S. 20040190522 A1), (hereinafter Aerrabotu).

Regarding **claims 1 and 13**, Sanchez discloses an apparatus for a communication system having multiple portions, said apparatus comprises:

a detector (= processor 4 detects and reads all the information that passes through it, see Pars. [0005] and [0045]) adapted to receive values of positional information associated with mobile nodes (= mobile network can detect mobile terminals, see Par. [0017]), during operation thereof to communicate by way of network portions (HLR, VLR and gateway 2) in whose coverage area that the mobile nodes, respectively, are positioned said detector configured to form indications of the values of the positional information (= processor 4 continuous reads information exchange, see Par. [0025]);

an associator adapted to receive the indications formed by said detector of the values of the positional information (= analyzer 6, collects information, analyzes information of a location changes, see Par. [0006 and 0029]), said associator configured to associate position of each of the mobile nodes with corresponding respective network portion (= the information are report such that terminals can obtain service while they are in foreign network, see Pars. [0023-25] and [0029]), respectively, through which communication are effectuated, thereby to identify roaming relationship

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between each of the mobile nodes and the corresponding network portion when the mobile nodes are roaming (= foreign networks) and

a storage element coupled to said associator, said storage element configured to store values representative of associations formed by said associator, the values together forming a roaming network table indicating the roaming relationships (= the database 7 has information of which subscribers are located in a foreign network, see Par. [0026] and the database incorporates a log table which could be updated with a each network change, see Pars. [0041-42, 0012 and 0033]), the value forming entries, the mobile nodes identified in terms of their respective home network portion (see Pars. 0029, 0043 and 0047) and individual ones of the entries given lesser weight than other entries, without being deleted, when aged beyond a selected age (= subscriber's entry and exit information at the network are periodically eliminated from the log table, and the possibility of a periodic cleaning of data stored in the log, see Pars. [0013 and 0055]; whereby the cleaning and updating are associated with "deleting network entries when aged" and the log is being associated with the "roaming network table"), the roaming network table accessible to identify the roaming relationships identified therein (= the database 7 has information of which subscribers are located in a foreign network, see Par. [0026] and the database incorporates a log table which could be updated with a each network change, see Pars. [0012, 0041-42, 0032-36]), usable subsequently to determine roaming capability of selected coverage areas of selected network portions (see Pars. [0036-37 and 0046]).

Sanchez does disclose a roaming network but fails specifically to teach that the network is a packet data network and the network is connected to other network by the way of a "**respective gateway**" to each of respective network portion

However, Aerrabotu teaches a mobile network including an Emergency Packet Data Network (E-PDN) coupled to gateways SGSN and GGSN (see Pars. [0011-12 and 0021-23]; whereby the E-PDN is being associated with the "packet data network" and the SGSN and GGSN are being associated with the "respective gateway").

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Aerrabotu with Sanchez's system in achieving a system that provides call connection as well as preventing unauthorized use of the system (see Aerrabou; Par. 0011).

Regarding **claims 2 and 14**, Sanchez further discloses the apparatus of claims 1 and 15 wherein each mobile nodes (mobile terminals, see Par. [0017 and 0025]) has an identifier (subscriber's profile, see Pars. [0021 and 0043]) associated therewith and wherein said detector is further adapted to receive the identifier and for detecting values thereof (processor 4 continuously reads information exchange, see Par. [0025]).

Regarding **claims 3 and 15**, as recited in claims 2 and 14, Sanchez teaches mobile terminals, (see Par. [0017 and 0025]), but fails wherein the radio communication system comprises a cellular radio communication system that provides for GPRS (General Packet Radio Service).

Aerrabotu teaches that the International Mobile Subscriber Identity (IMSI) is used as the mobile station identity in GPRS attach procedure when the mobile station does not have a SIM in a packet-switched data domain (see Pars. [0010] and [0014] respectively).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Aerrabotu with Sanchez's system in achieving a system that provides call connection as well as preventing authorized use of the system (see Aerrabou; Par. 0011).

Regarding **claims 4 and 16**, as recited in claims 3 and 15, Sanchez further teaches the apparatus/method wherein at least the portion of the IMSI number (MSISDN which correspond to the mobile telephone number, see Par. [0043]) includes a Mobile Network Code (MNC) (the country code of the network in which it is located, see Par. [0043]), the Mobile Network Code identifying a home network portion associated with each mobile (mobile terminals, see Par. [0017 and 0025]) node; the home network portion of the multiple network portions (consultation is made at the HLR and VLR when the subscriber enter into a new network, see Par. [0037]).

Regarding **claims 5 and 17**, as recited in claims 3 and 15 Sanchez further disclose apparatus/method wherein the IMSI number (MSISDN which correspond to the mobile telephone number, see Par. [0043]) includes a Mobile Country Code (MCC) and wherein the at least the portion of the IMSI number of which said detector detects the

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values comprises the Mobile Country Code; and at least the portion of the IMSI number comprises a mobile country code (the country code of the network in which it is located, see Par. [0043]).

Regarding **claims 6 and 9**, Sanchez further discloses an apparatus as recited in claims 1 and 15, wherein each node registers with a network portion of the multiple network portions (HLR, VLR and gateway 2) at selected times (location update every time mobile terminal changes location, see Page 2, line [0021]) and wherein the positional information detected by said detector is communicated by each mobile node (mobile terminals, see Par. [0017 and 0025]) pursuant to registration with the network part; the roaming network table further includes an indication of a time at which the values representative of the associations are stored at said storage element; and the roaming table further comprises identifying times at which values are entered thereat (table contains date of the last location update, see Pars. [0018, 0020-23, 0043-45 and 0049]).

Regarding **claim 7**, as recited in claim in claim 1, Sanchez teaches mobile terminals (see Par. [0017 and 0025]), but fails to disclose wherein communications of the mobile node are formatted into messages, the messages having header parts, and wherein the positional information detected by said detector is embodied in the header parts of the messages.

Aerrabotu teaches an incoming call IP address for device and the regulating packet flow which is use for Internet messaging subsystem (see Par. [0016])

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Aerrabotu with Sanchez's system in achieving a system that provides call connection as well as preventing authorized use of the system (see Aerrabou; Par. 0011).

Regarding **claim 10**, as recited in claim 9, Sanchez further discloses that the apparatus further comprising a roaming table entry deleter coupled to said storage element said roaming table entry deleter selectably operable to delete selected values of the roaming entry table maintained at said storage element when aged beyond the selected age (subscriber's entry and exit information at the network are periodically eliminated/updated from the log table, see Par. [0055]).

Regarding **claim 11**, as recited in claim 10, Sanchez further discloses wherein said roaming entry deleter deletes values of the roaming network (foreign network) table stored thereat for longer than a selected time period, the selected time period identifying aging beyond the selected age (subscriber's entry and exit information at the network are periodically eliminated from the log table, see Pars. [0013 and 0055]).

Regarding **claim 18**, Sanchez further discloses an apparatus as recited in claims 1 and 15, wherein each node registers with a network portion of the multiple network portions (HLR, VLR and gateway 2) at selected times (location update every time mobile terminal changes location, see Page 2, line [0021]) and wherein the positional

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information detected by said detector is communicated by each mobile node (mobile terminals, see Par. [0017 and 0025]) pursuant to registration with the network part; the roaming network table further includes an indication of a time at which the values representative of the associations are stored at said storage element; and the roaming table further comprises identifying times at which values are entered thereat (table contains date of the last location update, see Pars. [0018, 0020-23, 0043-45 and 0049]).

Regarding **claim 19**, recited in claim 18, Sanchez further discloses the operations of accessing the roaming network table and determining the roaming relationships indicated therein (see Page 3, lines [0032-0036]).

Regarding **claim 20**, as recited in claim 13, Sanchez further discloses the operation of deleting entries out of the roaming network table once aged beyond the selected age (subscriber's entry and exit information at the network are periodically eliminated from the log table, see Pars. [0013 and 0055]).

Conclusion

4. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully

consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

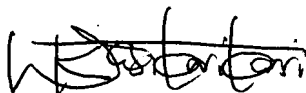
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Rafael Pérez-Gutiérrez* can be reached on 571-272-7915. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kwasi Karikari
Patent Examiner.
07/27/2007


RAFAEL PEREZ-GUTIERREZ
SUPERVISORY PATENT EXAMINER

8/6/07